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6 *Attorneys for Plaintiff*
7 SINCO TECHNOLOGIES PTE, LTD.
8

6 *Attorneys for Defendant*
7 MARK LIEW, CY NG, MUI LIANG
8 TJOA, and XINGKE ELECTRONICS
9 (DONGGUAN) CO., LTD.
10

11 SINCO TECHNOLOGIES PTE LTD.,
12

13 Plaintiff,

14 v.

15 SINCO ELECTRONICS (DONGGUAN)
16 CO., LTD.; XINGKE ELECTRONICS
17 (DONGGUAN) CO., LTD.; XINGKE
18 ELECTRONICS TECHNOLOGY CO.,
19 LTD.; SINCOO ELECTRONICS
20 TECHNOLOGY CO., LTD.; MUI LIANG
TJOA (an individual); NG CHER YONG
AKA CY NG (an individual); and LIEW
YEW SOON AKA MARK LIEW (an
individual),

21 Defendants.

12 CASE NO. 3:17CV5517 EMC
13

14
15 **STIPULATION AND [PROPOSED]
16 ORDER RE: IN-PERSON MEET AND
17 CONFER OF APRIL 3, 2019
18 (WITH CLIENTS)**

19 Judge: Joseph C. Spero
20
21

1 On **April 3, 2019**, at approximately 5:00 PM the parties counsel initiated a meet-and-
 2 confer session, which was attended by SinCo's Counsel, Lael Andara (paralegal Manali Shah)
 3 and Defendants' counsel, Jeffrey Fazio, Yi Yao, and Clay Zhu, in person at the office of Sinco's
 4 counsel: 1001 Marshall Street Redwood City, California. At approximately 6:00 PM the
 5 corporate representatives of SinCo Technologies Pte Ltd.'s, ("SINCO") Jonathan Chee (COO)
 6 and Bryan Lim (CEO) along with Defendant Mui Liang Tjoa (CEO of Defendant Xingke
 7 Electronics Technologies Co., Ltd. ("Xingke") jointed the meeting. Pursuant to Judge Joseph C.
 8 Spero's Revised Civil Standing Order, the parties submit this Joint Letter Re the Meet and Confer
 9 of **April 3 , 2019**, which memorializes their resolved and ***unresolved*** discovery dispute as to: (1)
 10 Defendant CY NG's ("Mr. Ng") responses to Plaintiff SinCo Technologies PTE LTD.'s
 11 ("SINCO"), Request for Production of Documents ("RFPD") [Set One] served on **April 12, 2018**;
 12 (2) Defendant Xingke Electronics (Dongguan) Co., Ltd.'s ("XINGKE") production in response to
 13 SINCO's RFPD Set one served on **February 5, 2019**, specifically as to compliance with the
 14 Court's **January 9, 2019**, Order Regarding Protocol For Discovery of Electronically Stored
 15 Information in Civil Litigation; (3) XINGKE employee depositions [Eric Pang; Gouki Gao; Jerry
 16 Darui; Quek Seow Eng; and Lim Chin Huan]; (4) Attorney's fees as to SinCo's Motion for
 17 Sanctions (5) Defendant Mui Liang Tjoa's ("Mr. Tjoa") production in response to SINCO's
 18 RFPD Set One served on **November 2, 2018**, and (6). XINGKE responses to Interrogatories
 19 Nos.1-8, 10-11, and 14-19.

20 **ISSUES RESOLVED AND STIPULATIONS:**

21 **1. MR. NG'S RESPONSES TO SINCO'S RFPD (Served 4/12/2018)**

22 On **March 6, 2019** at 4:44 PM SINCO received an email from Mr. Ng's Counsel
 23 indicating that they had placed 1,811 pages of responsive information (NG2277-NG4088) in the
 24 mail, which RMKB never received. Counsels for Mr. Ng agreed to provide the production set
 25 NG2277-NG4088 electronically. SinCo was provided said responsive information, represented to
 26 by Mr. Ng's Counsel be files from the Dell computer on **April 5, 2019**.

27 Mr. Ng's Counsel stipulates to complete production and provide the balance of Mr. Ng's
 28 responsive information on the Microsoft computer by no later than **April 30, 2019**. Further, Mr.

1 Ng's Counsel stipulates to provide an index of Bates Numbers for the 335 documents identified
 2 on the **May 23, 2018**, privilege log which provided specific details by date as to documents
 3 previously withheld, by no later than **April 30, 2019**.

4 **2. XINGKE'S RESPONSE TO SINCO'S RFPD (SERVED 2/5/2019)**

5 On **April 1, 2019**, SINCO received documents from Defendant ML Tjoa Bates stamped as
 6 ML16836-ML34142 stated as reproduction of ML0001-ML16835 and from Defendant XINGKE
 7 bate stamped as XL0001-XK24598. SINCO noticed and identified that the documents previously
 8 produced by Mr. Tjoa were being produced on behalf of XINGKE. Counsel for Defendants
 9 agreed that although some ESI is responsive to equests for production propounded on each
 10 Defendant, ESI will be produced only once unless the ESI is stored in more than one location,
 11 such as on more than one individual Defendant's laptops.

12 Counsel for Defendants stipulates to either remove the designation of Highly Confidential
 13 -Attorney's Eyes Only ("AEO"), or articulate a basis for AEO designation for Chinese language
 14 documents XK16005 to XK16044; XK16057 to XK16189; and XK16926 to XK16934 and reproduce
 15 those documents with correct designations by **April 17, 2019**.

16 Counsel for both parties stipulate that they would produce English translations of Chinese
 17 documents if, at the time of production they are in possession of said translations.

18 On **April 2, 2019**, SinCo provide a list of documents that it requested to be re-designated
 19 to Confidential:

XK0000097-XK0000124;	XK15939 to XK15954;	XK16488 to XK16492;	XK16249 to XK16321;
XK0002947-XK0002952;	XK15955 to XK15972;	XK16566 to XK16567;	XK16326 to XK16368;
XK0002957-XK0002959;	XK15973 to XK15985;	XK16939 to XK16950;	XK16372 to XK16455;
XK00003010 to XK00003012;	XK15986 to XK16004;	XK16207 to XK16242;	XK16460 to XK16463;
XK15851 to XK15862;	XK16045 to XK16056;	XK1827 to XK18562;	XK16537 to XK16542;
XK15863 to XK15884;	XK16370 to XK16371;	XK16243 to XK16245;	XK16588 to XK16735;
XK15885 to XK15894;	XK17133;	XK16547 to XK16553;	XK16742 to XK16798;
XK15895 to XK15906;	XK17137 to XK17154;	XK16737 to XK16741;	XK16828 to XK16924;
XK15907 to XK15919;	XK24526 to XK24598;	XK17074;	XK16935 to XK16938;
XK15920 to XK15938;	XK24518 to XK24523;	XK17115 to XK17239;	XK16951 to XK16992;

XK16995 to XK17073;	XK18439 to XK18467.	XK16248;	XK18276;
XK17075 to XK17132;	XK18122;	XK16456;	XK18288;
XK17249 to XK17904;	XK18152 to XK18164;	XK16736;	XK18485;
XK18217 to XK18235;	XK18260 to XK18272;	XK16925;	XK24462;
XK18242 to XK18255;	XK18315 to XK18327;	XK17248;	XK24468;
XK18368 to XK18432;	XK18341 to XK18353;	XK17960;	

Counsels for Defendants agreed that it would review the list and either change the designation by **April 19, 2019**, as requested, or be prepared to further meet and confer on this issue with SinCo on **April 26, 2019**.

3. XINGKE' EMPLOYEE DEPOSITIONS (REQUESTED 12/12/2018)

The parties agreed to the Schedule set by the Court on **April 1, 2019**, that Defendants shall produce the Employee Witnesses in Singapore for Deposition [ECF 178]:

- a) Jerry Darui - May 27, 2019
- b) Quek Seow Eng - May 28, 2019
- c) Lim Chin Huan - May 29, 2019
- d) Gouki Gao - May 30, 2019
- e) Eric Pang - May 31, 2019

Employee witness Gouki Goa and Jerry Darui are citizens of China and Defendant Xingke will need to obtain travel VISAS, and that provided they can do so prior to the depositions they will be made available for deposition. XINGKE will submit for said VISAS immediately and will advise SinCo prior to **May 15, 2019**, if they learn that they cannot be obtained prior to **May 30, 2019**.

4. ATTORNEY'S FEES RE PLAINTIFF'S MOTION FOR SANCTIONS

On March 20, 2019, the Court issued an Order re attorney fees and costs incurred by Plaintiff in making Motion for Sanctions against Defendant Mr. Tjoa and his counsel. [ECF 163] The parties have agreed to a total of \$9,750.00 as a compromise as to the amount of fees to be paid for SinCo's Motion, which will be paid to SinCo's counsel on or before April 16, 2019, to avoid the further consumption of time and judicial resources.

5. MR. TJOA'S RESPONSES TO SINCO'S INTERROGATORIES (SERVED 11/2/18)

Counsels for Mr. Tjoa agreed to supplement responses to SinCo's Request for Interrogatories Nos. 4 and 6 on or before **April 19, 2019**.

1 **ISSUES YET TO BE RESOLVED:**2 **6. XINGKE'S RESPONSES TO SINCO'S INTERROGATORIES (SERVED 2/5/19)**3 **SINCO'S POSITION:**

4 SinCo had requested a meet and confer as to Interrogatories Nos.1-8, 10-11, and 14-19 to
 5 XINGKE on **March 22, 2019**, providing the specific issue for each. SinCo reiterated these
 6 identical issues on **April 2, 2019**, in a letter to Defendants' counsel. Counsel for XINGKE
 7 declined to discuss SinCo's Interrogatories Nos.1-8, 10-11, and 14-19 to XINGKE, claiming they
 8 had only been made aware of them on **April 2, 2019**, and they were not prepared to address them.

9 **XINGKE'S POSITION**

10 Xingke will review Sinco's **April 2, 2019** letter, and will provide a proper response to the
 11 issues identified therein not later than **April 22, 2019**, and will continue the meet-and-confer
 12 process in an effort to resolve the differences between the parties.

13 Dated: April 8, 2019

14 ROPERS, MAJESKI, KOHN & BENTLEY

15 By: /s/ Lael Andara16 LAEL D. ANDARA
MICHELLE G. TREVINO17 *Attorneys for Plaintiff*
18 SINCO TECHNOLOGIES PTE LTD.

19 Dated: April 8, 2019

20 DEHENG LAW OFFICES

21 By: /s/ Jeffrey Fazio22 JEFFREY L. FAZIO
KELIANG ZHU23 *Attorneys for Defendants*
MUI LIANG TJOA24 **IT IS ORDERED** that the forgoing Agreement is approved.25 Dated: April 9, 2019

26 UNITED STATES DISTRICT COURT
 27 Chief Magistrate
 28

JOINT LETTER THE RE MEET AND CONFER
ON APRIL 3, 2019